

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

**WYNDHAM VACATION
OWNERSHIP, INC., WYNDHAM
VACATION RESORTS, INC.,
WYNDHAM RESORT
DEVELOPMENT
CORPORATION, SHELL
VACATIONS, LLC, SVC-WEST,
LLC, SVC-AMERICANA, LLC,
and SVC-HAWAII, LLC,**

Plaintiffs,

v.

Case No: 6:20-cv-643-RBD-EJK

**SQUARE ONE DEVELOPMENT
GROUP, INC., CONSUMER LAW
PROTECTION, LLC, CONSUMER
RIGHTS COUNCIL, INC.,
PREMIER RESERVATIONS
GROUP, LLC, RESORT
TRANSFER GROUP, LLC,
SQUARE ONE HOLDING
GROUP, INC., GEORGE L.
REED, and LOUANN REED,**

Defendants.

ORDER

This cause comes before the Court on Plaintiffs' Motion for Writ of Garnishment After Judgment (the "Motion") (Doc. 342), filed October 3, 2023. For the reasons set forth below, the Motion is due to be granted.

On April 25, 2022, this Court entered a Judgment in favor of Plaintiffs against Square One Development Group, Inc., Consumer Law Protection, LLC, Consumer

Rights Council, Inc., Premier Reservations Group, LLC, Resort Transfer Group, LLC, and Square One Holding Group, Inc. (collectively, the “Entity Defendants”) in the sum of \$5,000,000.00. (Doc. 338.) A balance of \$3,949,803.00 remains unpaid on the Judgment. (Doc. 342 at 2.) Plaintiffs now seek issuance of a Writ of Garnishment After Judgment directed to Bank of America, N.A. (“Garnishee”). (*Id.*)

“A money judgment is enforced by a writ of execution.” Fed. R. Civ. P. 69(a)(1). “The procedure on execution . . . must accord with the procedure of the state where the court is located, but a federal statute governs to the extent it applies.” *Id.* Federal Rule of Civil Procedure 64 provides that a judgment-creditor has access to “every remedy . . . available . . . under the law of [Florida] . . . for seizing a . . . property to secure satisfaction of the potential judgment.” Fed. R. Civ. P. 64(a)

Under Florida law, “[a]fter judgment has been obtained against defendant . . . the plaintiff, the plaintiff’s agent or attorney, shall file a motion . . . stating the amount of the judgment.” Fla. Stat. § 77.03. “Every . . . entity who has . . . recovered judgment in any court against any person . . . has a right to a writ of garnishment.” Fla. Stat. § 77.01. Section 77.04 provides the form of the writ:

The writ shall require the garnishee to serve an answer on the plaintiff within 20 days after service of the writ stating whether the garnishee is indebted to the defendant at the time of the answer, or was indebted at the time of service of the writ, plus up to 1 business day for the garnishee to act expeditiously on the writ, or at any time between such times; in what sum and what tangible or intangible personal property of defendant the garnishee has in his or her possession or control at the time of his or her answer, or had at the time of the service of the writ, or at any time between such times; and whether the garnishee knows of any other person indebted to defendant, or who may have any

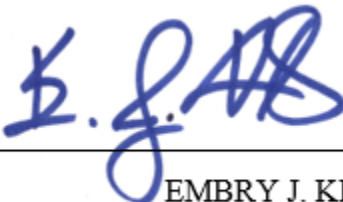
of the property of defendant in his or her possession or control. The writ shall state the amount named in plaintiff's motion. If the garnishee is a business entity, an authorized employee or agent of the entity may execute, file, and serve the answer on behalf of the entity.

Fla. Stat. § 77.04.

Plaintiffs believe that Garnishee has possession or control of tangible assets, including certain monies, of one or multiple of the Entity Defendants. (Doc. 342 at 2.) The assets and monies belonging to Entity Defendants are believed by Plaintiffs to be sufficient to satisfy the Judgment, in whole or part. (*Id.*) Plaintiffs have complied with Rule 69 and Florida law—the proposed writ of garnishment contains all the necessary language under § 77.04. Thus, the Court finds that Plaintiffs have demonstrated entitlement to the writ.

Accordingly, it is hereby **ORDERED** that Plaintiffs' Motion for Writ of Garnishment After Judgment (Doc. 342) is **GRANTED**. The Clerk is **DIRECTED** to **ISSUE** the proposed writ of garnishment (Doc. 342-1).

DONE and **ORDERED** in Orlando, Florida on October 18, 2023.



EMBRY J. KIDD
UNITED STATES MAGISTRATE JUDGE